



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,143	06/25/2001	Peter Kamvyselis	EMS-01701	8831

26339 7590 03/28/2006

MUIRHEAD AND SATURNELLI, LLC
200 FRIBERG PARKWAY, SUITE 1001
WESTBOROUGH, MA 01581

EXAMINER

TANG, KENNETH

ART UNIT	PAPER NUMBER
----------	--------------

2195

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/891,143	Applicant(s) KAMVYSSELIS ET AL.	
	Examiner Kenneth Tang	Art Unit 2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 17-22 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 17-22 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the Amendment filed on 1/23/06. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejections.
2. Claims 1-6, 17-22, and 27 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 5-6, 17, 21-22, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pouban et al. (hereinafter Pouban) (US 4,104,718) in view of Brackett et al. (hereinafter Brackett) (US 6,519,632 B1), and further in view of Atkin et al. (hereinafter Atkin) (US 5,900,871).**

4. As to claim 1, Pouban teaches a method of providing multiple jobs for a device associated with a communication device (*col. 1, lines 34-44*), comprising:

providing a plurality of device records (files), wherein each of the device records corresponds to a device associated with the communication device (*col. 9, lines 14-19, col. 56, lines 35-55*);

Art Unit: 2195

providing a plurality of job records for at least one of the device records, wherein each of the job records contains at least some information (*col. 40, lines 1-19*); and

linking (pointer) the job records and the corresponding device record so that any one of the job records may be accessed by first accessing the corresponding one of the device records (*col. 41, lines 43-45*).

5. Poublan fails to explicitly teach that the job records contain information that is also provided in the corresponding one of the device records and exchanging data between the two communication devices. However, Brackett teaches having job records containing information that is also provided in the corresponding one of the device records for a system that communicates with multiple remotely located storage or printing devices (*col. 5, lines 30-33, col. 8, lines 5-16, Fig. 2, Fig. 6 and 8*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Poublan and Brackett because this increases communication ability of data records, as stated in Brackett (*col. 5, lines 30-33, col. 8, lines 5-16*).

Poublan and Brackett are silent wherein jobs corresponding to the job records associated with a particular device record are serviceable by different entities. However, Atkin teaches that it is typical and well known in the art for a computer system to have entities such as adaptors. Specifically, Atkins discloses an input/output adaptor for connecting disk units 20, for example. Atkins also discloses another entity such as a communication adaptor 34, wherein it transfers data and links the device with hundreds or even thousands of similar devices such as remote printers, remote services, or remote storage units (*col. 4, lines 60-67 through col. 5, lines 1-15*). It would have been obvious to one of ordinary skill in the art at the time the invention was made

Art Unit: 2195

to combine Atkin with Pouban and Brackett because this would allow for dynamic data management among a plurality of system/devices, as stated in Atkin (*col. 3, lines 43-51, col. 4, lines 13-26, col. 5, lines 30-33, col. 8, lines 5-16*).

6. As to claim 5, Pouban teaches wherein at least one of the device records includes a pointer to one of the job records corresponding to an active job (*col. 12, lines 43-51 and col. 50, lines 13-25*).

7. As to claim 6, Pouban fails to explicitly teach wherein each of the job records includes information not found in other ones of the job records. However, it would have been obvious to one of ordinary skill in the art to combine the feature of job records including information not found in other ones of the job records because this prevents grouping uncommon information together in a job record, which increases organization.

8. As to claim 17, it is rejected for the same reasons as stated in the rejection of claim 1.

9. As to claims 21-22, they are rejected for the same reasons as stated in the rejection of claims 5-6.

10. As to claim 27, Pouban teaches wherein the device and the communication device are included in a remote data storage system which communicates with a local data storage system including another communication device, a request from said local data storage system using

Art Unit: 2195

said other communication device causing creation of one of said job records in said remote data storage system (*col. 9, lines 14-19, col. 56, lines 35-55, col. 40, lines 1-19, col. 41, lines 43-45col. 1, lines 34-44*).

11. Claims 2-4 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pouban et al. (hereinafter Pouban) (US 4,104,718) in view of Brackett et al. (hereinafter Brackett) (US 6,519,632 B1), and further in view of James (US 6,035,376).

12. As to claim 2, Pouban teaches using pointers to link device records and job records (see rejection of claim 1). Pouban fails to explicitly teach providing one of a plurality of shared pointers in each of the job records and the corresponding one of the device records, wherein all of the shared pointers point to the corresponding one of the device records. However, James teaches using shared pointers, which increases efficiency by saving from using multiple copies (*col. 4, lines 52-56 and col. 6, lines 13-16*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the feature of shared pointers to Pouban's device communication system which also uses pointers in order to gain the benefit described above.

13. As to claim 3, Pouban fails to explicitly teach wherein linking the job records includes providing a forward pointer and a backward pointer for each of the job records. However, James teaches using a forward pointer and a backwards pointer for each job fields of records in order to

Art Unit: 2195

provide the advantage of allowing the data to be transferred immediately when it is available. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the feature of using forward pointers and a backward pointers to Poublan's device communication system which also uses pointers in order to gain the benefit described above.

14. As to claim 4, Poublan teaches wherein linking the job records also includes providing a pointer to one of the job records in the corresponding one of the device records (*col. 41, lines 43-45*).

15. As to claims 18-20, they are rejected for the same reasons as stated in the rejection of claims 2-4.

Response to Arguments

16. Applicant's arguments have been fully considered but are now moot in view of the new grounds of rejections.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2195

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt
3/21/06


MENG-AI AN
SUPERVISORY PATENT EXAMINER